

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

KIM PICKRELL; KEITH HENSLEE;
FALLON LAFLEUR; VYKIM LE; JANE DOE 1;
and JANE DOE 2,
Plaintiffs
VS.
COLLIN COUNTY, TEXAS;

§
§
§
§
§
§
§
§

CIVIL ACTION NO.
3:22-cv-02425-D

PLAINTIFFS' AMENDED COMPLAINT

COME NOW Plaintiffs KIM PICKRELL, KEITH HENSLEE, FALLON LAFLEUR, VYKIM LE, JANE DOE 1, and JANE DOE 2 and file this their First Amended Complaint against Defendant COLLIN COUNTY, TEXAS and in support of their causes of action would respectfully show the following: This lawsuit is brought for retaliation pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e to 2000e-17 ("Title VII"), the Texas Commission on Human Rights Act, Texas Labor Code § 21.001 *et seq.* (the "TCHRA"), and 42 U.S.C. § 1983.

I. PARTIES

1. Plaintiff Kim Pickrell is a natural person and citizen of the United States, residing in Collin County, Texas.
2. Plaintiff Keith Henslee is a natural person and citizen of the United States, residing in Grayson County.
3. Plaintiff Jane Doe 1 is a citizen of the United States, residing in Collin County.
4. Plaintiff Fallon LaFleur is a citizen of the United States and resides in Collin County.

5. Plaintiff Jane Doe 2 is a citizen of the United States, residing in Collin County.
6. Plaintiff VyKim Le is a citizen of the United States, residing in Dallas County.
7. Defendant Collin County is a governmental entity which was previously served with process at 2300 Bloomdale Road, McKinney, Texas or through its registered agent. Defendant will be served through its counsel of record.

II. VENUE

8. Venue is proper in this Judicial District pursuant to 28 U.S.C. §1391(b)(2) as a substantial part of the events or omissions given rise to Plaintiffs' claims as detailed above and further below occurred in the Northern District of Texas. Additionally, pursuant to 28 U.S.C. §1391(b)(1) venue is proper in this Judicial District as at least one original Defendant resided in this District at the time of this filing.

III. JURISDICTION

9. This Court has Jurisdiction pursuant to 28 U.S.C. § 1331. This is a case under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* and the Texas Labor Code. Further, this suit is brought for violations of the constitutional rights of the Plaintiffs by state actors under 42 U.S.C. § 1983.

IV. FACTUAL ALLEGATIONS

10. Plaintiffs were and/or are employees of Defendant Collin County and were and/or are employed at the Collin County District Attorney's Office in differing roles.

V. CAUSES OF ACTION

Texas Labor Code/Title VII/§ 1983

10. Plaintiffs sue for retaliation under the provisions of the Texas Labor Code § 21.055, 42 U.S.C. § 2000e2, and 42 U.S.C. § 1983. The analysis of unlawful discrimination and retaliation is the same under all of the cited provisions. *See Tanik v. Southern Methodist University*, 116 F.3d 775, 775 (5th Cir. 1997) (per curiam) (“The elements of the Title VII claim and the § 1983 claim are identical. The court evaluates these claims according to a single analysis.”).

11. All jurisdictional prerequisites for asserting the claims in this lawsuit have been met.

12. Plaintiffs Chief Pickrell, Deputy Chief Henslee, Jane Doe 1, Jane Doe 2, Ms. Le and Ms. LaFleur assert that they were retaliated against, and Plaintiff Jane Doe 2 additionally asserts constructive discharge.

VI. DAMAGES

13. Plaintiff Kim Pickrell sustained damages including both pecuniary and nonpecuniary losses for which she is entitled to recovery under these causes of action.

14. Plaintiff Keith Henslee sustained damages including both pecuniary and nonpecuniary losses for which he is entitled to recovery under these causes of action.

15. Plaintiff Fallon LeFleur sustained damages including both pecuniary and nonpecuniary losses for which she is entitled to recovery under these causes of action.

16. Plaintiff Vykim Le sustained damages including both pecuniary and nonpecuniary losses for which she is entitled to recovery under these causes of action.

17. Plaintiff Jane Doe 1 sustained damages, including both pecuniary and nonpecuniary losses for which she is entitled to recovery under these causes of action.

18. Plaintiff Jane Doe 2 sustained damages, including both pecuniary and nonpecuniary losses for which she is entitled to recovery under these causes of action.

19. Plaintiffs individually and in the aggregate are also entitled to declaratory relief that a violation has occurred to each individually. Plaintiffs are also entitled to equitable relief in the form of an injunction against future discrimination or retaliation individually and in the aggregate.

20. Plaintiffs are entitled to attorneys' fees, interest on judgment, and costs of Court for services rendered in seeking justice in this cause including the trial and appeals.

21. Plaintiffs are also entitled to receive punitive damages because Defendant engaged in retaliatory practices with malice or reckless indifference to the federally protected rights of these aggrieved individuals.

JURY DEMAND

22. Plaintiffs request a trial by jury to the extent allowed by the law.

CONCLUSION

Wherefore, Plaintiffs Kim Pickrell, Keith Henslee, Fallon Lefleur, Vykim Le, Jane Doe 1, and Jane Doe 2 request that Defendant Collin County, Texas, answer and that on final trial, Plaintiffs have judgment against Defendant for compensatory, declaratory, equitable, and exemplary damages, attorneys' fees, expert fees, costs of Court and suit, and interested as provided by law, and to any other further affirmative relief to which they may be so entitled.

SIMON GREENSTONE PANATIER, P.C.

/s/ Jeffrey B. Simon

JEFFREY B. SIMON

State Bar No. 00788420

jsimon@sgptrial.com

CHARLES E. SOECHTING, JR.

State Bar No. 24044333

csoechting@sgptrial.com

JODEE L. NEIL

State Bar No. 24039848

jneil@sgptrial.com

1201 Elm Street, Suite 3400

Dallas, Texas 75270

Telephone: (214) 276-7680

Facsimile: (214) 276-7699

and

/s/ Susan E. Hutchison

Susan E. Hutchison

State Bar No. 10354100

sehservice@FightsforRight.com

S. Rafe Foreman

State Bar No. 07255200

srfservice@FightsforRight.com

HUTCHISON & FOREMAN, PLLC

500 East 4th St., Ste. 100

Fort Worth, Texas 76102

(817) 336-5533

(817) 887.5471

ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically on April 12, 2023. As such, this document was served on all counsel of record who are deemed to have consented to electronic service.

/s/ Susan E. Hutchison

Susan E. Hutchison